

products should be disclosed by labeling and such sizes should be expressed in terms of the finished length and width measurements in inches exclusive of any fringe ornamentation.

(c) *Pillows, cushions, etc.* The sizes of pillows, cushions, and other similar industry products, when disclosed by labeling, should be expressed in terms of finished measurements in inches qualified by the words “Finished Size.” This statement may be followed in parentheses by a notation of product measurement in inches prior to finishing, such parenthetical expression to include the phrase “Cut Size.” Thus, an example of proper size marking when a pillow has a finished size of 21”×27” and a cut size of 22”×28”, and disclosure is made of the cut size, would be:

Finished Size 21”×27” (Cut Size 22”×28”).

[Guide 11]

PART 254—GUIDES FOR PRIVATE VOCATIONAL AND HOME STUDY SCHOOLS

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AUTHORITY: 38 Stat. 717, as amended; 15 U.S.C. 41–58.

SOURCE: 37 FR 9665, May 16, 1972, unless otherwise noted.

§254.1 Definitions.

(a) *Industry member.* Any person, firm, corporation, or organization engaged in the operation of a privately owned school which offers resident or correspondence courses or training or instruction purporting to prepare or qualify individuals for employment in

any occupation or trade or in work requiring mechanical, technical, artistic, business, or clerical skills or which is for the purpose of enabling a person to improve his appearance, social aptitude, personality, or other attributes is considered to be an industry member. However, the term *industry member* shall not include resident primary or secondary schools or institutions of higher education which offer at least a 2-year program of accredited college level studies for resident students which is generally acceptable for credit toward a bachelor’s degree.

(b) *Accredited.* For the purpose of this part the term *accredited* means that a course or school to which the term is applied has been evaluated and found to meet established criteria by an accrediting agency or association recognized by the U.S. Commissioner of Education of the U.S. Department of Health, Education, and Welfare, as reliable authority as to the quality of the training offered.

(c) *Approved.* For the purpose of this part, the term *approved* means that a school or course has been recognized by a State or Federal agency as meeting educational standards or other related qualifications as prescribed by that agency for the school or course to which the term is applied. It is not and should not be used interchangeably with “accredited,” and the term “approved” is not justified by the mere grant of a corporate charter to operate or license to do business as a school and should not be used unless the represented “approval” has in fact been affirmatively required or authorized by State or Federal law. [Guide 1]

§254.2 Deceptive trade or business names.

(a) An industry member should not use any trade or business name, label, insignia, or designation which has the capacity and tendency or effect of misleading or deceiving prospective students, or student with respect to the nature of the school, its accreditation, programs of instruction or methods of teaching, or any other material fact.

(b) An industry member should not falsely represent directly or indirectly by the use of a trade or business name or in any other manner that: